

**Minneapolis City Planning Department Report to the City Council**  
**BZZ-839: Petition to Rezone Los Amigos at 2746 Blaisdell Ave. S., and 109 and 115 W. 28<sup>th</sup> St.**

**Zoning and Planning Committee Hearing Date:** April 10, 2003

**Applicant:** Luis Caire, 1616 E. 25<sup>th</sup> St., Mpls., MN

**Address of Property:**

- Existing Los Amigos building: 2744-46 Blaisdell Ave. S.
- Vacant lots to the south: 109 and 115 W. 28<sup>th</sup> St.

**Contact Person and Phone:** Luis Caire, 612-290-1701

**Staff Contact Person and Phone:** J. Michael Orange, Principal Planner (voice: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; Email: michael.orange@ci.minneapolis.mn.us)

**Ward:** 6      **Neighborhood Organization:** Whittier Alliance

**Zoning:**

- **Existing Los Amigos building:**
  - **Existing Districts:** R5, Multi-family; C1, Neighborhood Commercial
  - **Proposed District:** C1, Neighborhood Commercial
- **Vacant lots to the south:** 109 and 115 W. 28<sup>th</sup> St.:
  - **Existing District:** R5, Multi-family
  - **Proposed District:** C2, Neighborhood Commercial

**Consistency of petition:** The City Attorney's Office verified on 3/28/03 that the applicant obtained the necessary signatures for the above-described rezoning from R5 to C1 (Exhibit D).

**Proposed Use:**

- **Existing Los Amigos building at 2746 Blaisdell Ave. S.:** Currently a multi-tenant commercial building. Rezoning will make entire site C1.
- **109 and 115 W. 28<sup>th</sup> St.:** Currently vacant lots. Proposed for accessory parking for 8 vehicles.

**Concurrent Review:** None

**Prior actions:**

- In November 1995, the City rezoned the current site of the Los Amigos site from R5 to B2-1 to permit a grocery store (Good Choices). The new site combined three prior lots at 2744-46 Blaisdell and 112 W. 28<sup>th</sup> St. The City also approved a site plan review application for the project (PR-292).
- Originally, the applicant applied for rezoning to C2 because of the originally proposed uses required C2. The Planning Commission approved the other needed permits on 12/9/02 for the

## **Minneapolis City Planning Department Report to the City Council**

### **BZZ-839: Petition to Rezone Los Amigos at 2746 Blaisdell Ave. S., and 109 and 115 W. 28<sup>th</sup> St.**

project but denied the rezoning to C2 (refer to Exhibit C). Between the Planning Commission's hearing and the Zoning and Planning Committee hearing the next week, the applicant decided to restrict the uses to those allowed in the C1 District. On 12/17/02, the Zoning and Planning Committee of the City Council agreed with the staff recommendation and postponed the petition request to allow the applicant to obtain the needed signatures to rezone to C1 instead of C2.

## **BACKGROUND**

**Surrounding uses:** The sites are bordered by apartment buildings and medium-to-high density residential uses (Attachment 2). To the east of the Los Amigos building across Blaisdell is a fire station. Diagonal to the southeast is an industrial development, GFI Industries, a major meat packing plant. Two blocks to the south is Lake St. and one block to the east is Nicollet Ave. Both of these streets are major commercial streets.

**Project description:** The current Los Amigos building at 2746 Ave. is a multi-tenant commercial building with a grocery, a restaurant with 38 seats, a butcher shop, and a jewelry store. The current and proposed uses for the site are allowed in the C1 District, including restaurants that sell alcoholic beverages on site. However, the site has both R5 and C1 zoning on it (refer to the Planning staff report to the Planning Commission, Exhibit C). This is an anomaly that was not corrected by the remapping process associated with the adoption of the new Zoning Code in 1999. The applicant seeks to expand the C1 zoning to the rest of site.

The existing and proposed uses require a total of 20 stalls. Currently, there are 12 stalls on site. The proposal is to build an accessory parking lot across 28<sup>th</sup> St. on the vacant lots for an additional 8 stalls. This would provide the parking needed for the current and proposed uses consistent with the Zoning Code.<sup>1</sup> Since the adjacent lot is in an R5 District, the applicant proposes to rezone the parcel to C1 to allow the creation of the accessory parking lot.

**Neighborhood review:** The applicant presented to the Whittier neighborhood group and the group approved the project and the rezoning to C1 (Exhibit E).

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<sup>1</sup> The owner of Taco Morelos, the restaurant in the Los Amigos building, intends to seek a beer/wine license for the restaurant. A prerequisite of licensing is satisfaction of the parking requirements in the Zoning Code. The satisfaction of the 20-stall requirement will make the restaurant eligible to apply for the license.

## **FINDINGS**

### **Findings as Required By the Minneapolis Zoning Code for the Zoning Petition for the Los Amigos Building and Proposed Accessory Parking Lot**

**1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

- a. Applicable policies:** The following is a review of the applicable plans and policies of the City:

**(1) The *Minneapolis Plan* (adopted by the City Council, Mayor, and Minneapolis Planning Commission, March 2000):**

The Policy Plan Map in the *Minneapolis Plan* designates the area of the sites as a mixed-use area for general commercial, institutional (the fire station), industrial, and medium-to-high density residential. Two blocks to the south is Lake St. and one block to the east is Nicollet Ave. The Plan designates both of these streets as Commercial Corridors. The Plan includes the following policies most relevant to the entire project:

**Policy 2.8: Minneapolis will develop the existing economic base by emphasizing business retention and expansion.**

**Implementation Steps (selected):**

- Promote business start-ups, retentions and attractions. Foster a healthy business environment by encouraging access to the resources and information necessary for successful operation.

**Neighborhood Commercial Nodes:** Neighborhood Commercial Nodes are designated on the Land Use Policy Map. They are characterized by the following features:

- Nodes provide at least three retail or service uses to residents of surrounding neighborhoods.
- Nodes are oriented to pedestrian traffic, with few automobile-oriented uses.
- Nodes generally have between 10,000 to 100,000 square feet of retail or service floor area.
- Nodes generally have a trade market area ranging from 2,000 to 12,000 people.
- Nodes generally appear at the intersections of community corridors.
- Commercial uses at nodes are typically focused close to a single intersection. However, the nodes can be more dispersed or cover more territory.

## Minneapolis City Planning Department Report to the City Council

### BZZ-839: Petition to Rezone Los Amigos at 2746 Blaisdell Ave. S., and 109 and 115 W. 28<sup>th</sup> St.

- Nodes generally have a historical commercial function and form.
- At nodes, a mix of uses can occur within structures and on a lot by lot basis (vertical and horizontal mixed use).

**Policy 4.5: Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small scale retail sales and commercial services and are compatible with adjacent residential areas.**

**Policy 9.8: Minneapolis will maintain and strengthen the character of the city's various residential areas.**

- (2) **Selected Housing Principles (adopted by City Council and Mayor, July 6, 1995):** Housing markets that are already strong shall be preserved and strengthened.

**b. Consistency with applicable policies:**

- **Uses and residential neighborhood preservation:**
  - **Existing commercial site at 2746 Blaisdell:** The existing uses are compatible with the mix of commercial, industrial, and residential use designations called for in the Policy Plan for the area.
  - **Proposed accessory parking lot:** This is an older and totally built up area of the City that has a very intense use of the land with a minimum amount of available on and off-street parking compared to the demand. The two lots are very small, one quarter of the normal size in the area, and are unbuildable for other uses. In all likelihood, the only reasonable use of these lots is for parking.

The introduction of commercial parking into the predominantly residential area may have an adverse impact on the residents. Thus, the rezoning to C1 is not totally consistent with Policy 9.8 and the above-listed Housing Principle. However, the proposed yards and fencing will be adequate to screen the adjacent residential uses. There will be 27 feet of landscaping between the curb on W. 28<sup>th</sup> St. and the closest cars, and a six-foot high cedar fence between the lots and residential areas to the south and east. This will mitigate any negative impacts.

- **Business retention through increased parking:** The Plan encourages business retention. Rezoning the vacant lot to allow an accessory parking lot is consistent with Policy 2.8. The additional stalls are needed for the existing and proposed businesses, and to bring the uses into compliance with the parking requirements of the Zoning Code. (The site is not eligible for a Transitional Parking Overlay District.)

## Minneapolis City Planning Department Report to the City Council

### BZZ-839: Petition to Rezone Los Amigos at 2746 Blaisdell Ave. S., and 109 and 115 W. 28<sup>th</sup> St.

2. **Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

**Los Amigos building:** The business is located ½ block to the west of a large C2 district along Nicollet Ave. and adjacent to the I1 District that surrounds the industrial use. As stated above, the site has both R5 and C1 zoning on it only because the remapping process did not correct this associated with the adoption of the new Zoning Code in 1999. The applicant seeks to expand the C1 zoning to the rest of site. The rezoning is not solely for the interest of the property owner.

**The rezoning of the residential parcels for the parking lot:** Since the additional stalls are needed for the existing and proposed businesses to bring the uses into compliance with the parking requirements of the Zoning Code, rezoning to allow this is in the interest of the City and the property owner.

3. **Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

As stated above, the area has a mix of uses and zoning districts, and is close to two major commercial streets. Rezoning the vacant lots to a commercial C1 District will introduce commercial parking into an area that is predominantly residential in character, however, the required landscaping and screening will mitigate any adverse impacts on the residents of the area.

4. **Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

**Existing business:** The existing Los Amigos building and uses can continue to operate under the current C1 zoning. However, the building and uses are not in compliance with the parking requirements, and are thus, legal non-conforming uses as to parking.

**Vacant lots:** The district allows medium-density residential and certain institutional developments. The two small vacant residential lots south of W. 28<sup>th</sup> St. ( $1,575 + 1,800 = 3,375$  sq. ft.) had two houses on them originally, however, the district requires a minimum lot size of 5,000 sq. ft. so they are unbuildable for the uses allowed in the district.

5. **Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

## **Minneapolis City Planning Department Report to the City Council**

### **BZZ-839: Petition to Rezone Los Amigos at 2746 Blaisdell Ave. S., and 109 and 115 W. 28<sup>th</sup> St.**

There has been commercial revitalization and intensification along Nicollet Ave. and Lake Street; however, the residential and industrial uses in the immediate area have not changed substantially.

## **RECOMMENDATION OF THE MINNEAPOLIS PLANNING DEPARTMENT**

The City Planning Department recommends that the City Council approve the petition to rezone the Los Amigos properties at 2744-46 Blaisdell Ave., and 109 and 115 W. 28<sup>th</sup> St. from R5 to C1.

### **Attachments:**

1. Zoning in the general area
2. Zoning and buildings in the immediate area
3. Map of existing conditions and proposed changes
4. Site and landscape plans for existing building and site
5. Site and landscape plans for proposed parking lot
6. Photos of the sites
7. Letter from City Attorney's Office, 3/28/03
8. Action of the Planning Commission
9. New letters from the neighborhood group
10. Zoning Data Sheet